

# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Attorney Docket No. 9065-10

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: "Improved process and method for the preparation of asymmetric monofunctionalised indocyanine labelling reagents and obtained compounds" the specification of which

X is attached hereto

OR

       was filed on                                  as United States Application No.                                 

or PCT International Application Number                                  and was amended on

                                 (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

00126019.9	European Patent Office (Munich-Germany)	11/28/2000	<u>X</u> Yes <u>  </u> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed

			<u>  </u> Yes <u>  </u> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed

			<u>  </u> Yes <u>  </u> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

NONE	
Application Number(s)	Filing Date (MM/DD/YYYY)

Application Number(s)	Filing Date (MM/DD/YYYY)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application (37 C.F.R. § 1.63(d)).

NONE		
Appln. Serial No.	Filing Date	Status Patented/Pending/Abandoned

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following registered attorney(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

**Customer Number 20792**

Send correspondence to: F. Michael Sajovec  
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Full name of (first/sole) inventor: Giuseppe CAPUTO

Inventor's  
Signature: G. Caputo Date: 13/11/2001

Residence: TORINO (Italy)

Citizenship: Italian

Post Office Address: Via Principe Tommaso 21, I-10125 TORINO (Italy)

Full name of second inventor: Leopoldo DELLA CIANA

Inventor's  
Signature: Leopoldo Della Ciana Date: 13/11/2001

Residence: TORINO (Italy)

Citizenship: Italian

Post Office Address: Via Torino 475, I-10015 IVREA (Torino) Italy

Full name of third inventor:

To the Honorable Commissioner of Patents and Trademarks:

November 27, 2001  
Attorney Docket No. 9065-10

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Giuseppe Caputo  
Leopoldo Della Ciana

Additional name(s) of conveying party(ies) attached? Yes ☒ No

2. Name and address of receiving party(ies):

INNOSENSE S.r.l.  
Via Ribes 5  
I-10010  
COLLERETTO GIACOSA (Torino)  
ITALY

Additional name(s) & address(es) attached? Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment  
☐ Merger  
☐ Security Agreement  
☐ Change of Name  
☐ Other

Execution Date: November 13, 2001

4. Application Serial No. \_\_\_\_\_ Patent No. \_\_\_\_\_

If this document is being filed together with a new application, the execution date of the application is: November 13, 2001

Additional numbers attached? Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

F. Michael Sajovec  
Myers Bigel Sibley & Sajovec  
P. O. Box 37428  
Raleigh NC 27627

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$40.00  
☒ Enclosed  
☐ Authorized to be charged to deposit account

8. Deposit account number: 50-0220

DO NOT USE THIS SPACE

9. Statement and signature

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

F. Michael Sajovec, Reg. No. 31,793

Name of Person Signing

  
Signature

November 27, 2001

Date

Total number of pages including cover sheet, attachments and document: 2

**ASSIGNMENT**

Whereas, We, Giuseppe CAPUTO and Leopoldo DELLA CIANA, Italian citizens residing at:

Via Principe Tommaso 21, I-10125 TORINO (Italy)  
Via Torino 475- I-10015 IVREA (Torino) Italy

have invented a certain improvement in " Improved process and method for the preparation of asymmetric monofunctionalised indocyanine labelling reagents and obtained compounds"

for which we have executed an application for Letters Patent of the United States and whereas INNOSENSE S.r.l., an Italian Limited Liability Company of Via Ribes 5, I-10010 COLLERETTO GIACOSA (Torino) Italy is desirous of acquiring an interest therein.

Now, therefore in consideration of the sum of One Dollar, the receipt of which is hereby acknowledged, We, Giuseppe CAPUTO and Leopoldo DELLA CIANA

by these presents do sell, assign and transfer unto the said INNOSENSE S.r.l.

the full and exclusive right to the said invention, as described in the specification executed by us of even date herewith preparatory to obtaining Letters Patent in the United States therefor; and hereby request the Commissioner of Patents to issue said Letters Patent to INNOSENSE S.r.l.

as the assignee, for its interest, for the sole use and behoof of said INNOSENSE S.r.l. and its legal representatives, successors and assigns, to the full end of the term for which said Letters Patent are granted, as fully and entirely as the same would have been held by us had this assignment and sale not been made.

We hereby authorize and request our attorneys, MYERS BIGEL SIBLEY & SAJOVEC of Post Office Box 37428, Raleigh, NC 27627 U.S.A. to insert here in parentheses (Application number filed on ) the filing date and application number of said application when known.

Executed this 13 day of November, 2001

Paolo Basso

Leopoldo Della Ciana

Giuseppe Caputo  
Giuseppe CAPUTO

Leopoldo Della Ciana  
Leopoldo DELLA CIANA